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United States Court of Appeals

FIFTH CIRCUIT OFFICE OF THE CLERK

CHARLES R. FULBRUGE III CLERK TEL. 504-310-7700 600 CAMP STREET NEW ORLEANS, LA 70130

September 30, 2005

Mr Michael N Milby, Clerk Southern District of Texas, Brownsville United States District Court Room 1158 600 E Harrison Street Brownsville, TX 78520

> No. 04-40678 USA v. Garcia USDC No. 1:03-CR-953-ALL

Dear Mr Milby:

We are enclosing a certified copy of an opinion-order on remand from the United States Supreme Court. This opinion is issued as the mandate.

Also, I am returning the 3 volume record on appeal and one envelope.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By:

Rhonda Flowers, Deputy Clerk

Enclosure

cc: Honorable Andrew S Hanen

Mr Timothy William Crooks

Ms Marjorie A Meyers

Mr Rudy Xavier Rodriguez

Mr Jeffery Alan Babcock

Mr James Lee Turner